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DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

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Analysis of House Bill 4868 (As Passed House)

Topic: Right of Way Signage
Sponsor: Representative Young
Co-Sponsors: Representatives Smith, Lemmons, Byrum, Leland, Tobocman, and Cheeks

Committee: House Intergovernmental, Regional and Urban Affairs
Senate Local, Urban and State Affairs

Date Introduced: March 30, 2007

Date Enrolled:

Date of Analysis: March 3, 2008

Position: The Department of Labor & Economic Growth supports the bill with an amendment dealing with the Land Bank Fast Track Authority concern noted below.

Problem/Background: In 2003 the Michigan Legislature passed a seven-bill package designed to decriminalize certain blight violations and permit a city to establish an administrative hearings bureau to hear such cases.

Illegal signs are a growing problem in many urban areas. The signs proliferate on utility poles and street lights and advertise everything from painting services to money-making schemes. These signs are not only an eyesore, but they are also a hazard to motorists who may be distracted by them or unable to see around them.

Description of Bill: House Bill 4868 amends Section 4q to the Home Rule City Act to include placement of right-of-way signage without a proper city permit as a violation that goes before an administrative hearings bureau, if the city has established one.

Summary of Arguments

Pro: The administrative hearings bureau in Detroit has been very effective in attacking blight. A November 12, 2007 story in the *Detroit News* noted that “. . .the Department of Administrative Hearings, commonly called the blight court, is gaining on the problem of illegal dumping and dilapidated properties and is far superior to the system in the old days, when violators were taken to the 36th District Court.” The violation proposed for addition to the purview of the bureau is a natural extension that is a low priority in the district court. The bill will increase the effectiveness of ordinance enforcement in Detroit and other cities that have established such bureaus.

Con: A concern was expressed in 2003 when the original concept was enacted that some local officials might be inclined to look on an administrative hearings bureau primarily as a revenue-raising device rather than a means of attacking blight.

Fiscal/Economic Impact

(a) Department: The Land Bank Fast Track Authority is concerned that blight citations have been issued on some of the property owned by state and local land banks and that fines paid for this purpose will reduce the fiscal capacity of the Land Bank to convert blighted properties into productive community assets.

(b) State: There is no direct fiscal impact on the state.

(c) Local Government

Comments: Detroit and Warren have established administrative hearings bureaus under the 2003 statute.

Other State Departments: The Attorney General has an interest in this issue in their capacity as attorneys for the Land Bank Fast Track Authority.

Any Other Pertinent Information: The City of Detroit and the Michigan Municipal League support the bill. There was no opposition.

There will be an amendment on the House floor to deal with the Land Bank Fast Track Authority concern.

Administrative Rules Impact: There is no administrative rule impact.